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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MINZHI XIE,

Plaintiff,

v.

DANIELLE LEHMAN, Director of United
States Citizenship and Immigration Services
San Francisco Asylum Office,

Defendant.

C 5:24-cv-06151-NC

**STIPULATION TO STAY PROCEEDINGS;
ORDER**

The parties, through their attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until July 1, 2025. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this mandamus action seeking adjudication of her Form I-589, Application for Asylum and Withholding of Removal. United States Citizenship and Immigration Services (“USCIS”) scheduled an interview for March 3, 2025. USCIS will work diligently towards completing adjudication of the I-589 application, absent the need for further adjudicative action or unforeseen circumstances that would require additional time for adjudication.

2. Plaintiff agrees to submit all supplemental documents and evidence to USCIS seven to

ten days prior to the agreed upon scheduled interview. Plaintiff recognizes that failure to submit these documents seven to ten days prior to the interview may result in the interview being rescheduled at no fault of USCIS.

3. If needed by Plaintiff or her dependent(s), Plaintiff shall bring her own interpreter to her asylum interview. See <https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13>. Plaintiff recognizes that failure to bring an interpreter to her interview may result in the interview being rescheduled at no fault of USCIS.

4. Upon receipt of the Asylum Office's decision, Plaintiff agrees to voluntarily dismiss the case.

5. The parties agree to bear their own litigation costs and attorney fees.

Accordingly, the parties stipulate and request that the proceedings in this case be stayed until July 1, 2025, at which time the parties will file a joint status report with the Court. At that time, the parties may request a further continuance of the stay of proceedings, dismissal of the litigation if appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this case will benefit the parties and conserve the Court's resources while the parties pursue a potential administrative resolution.

Dated: November 12, 2024

Respectfully submitted¹,

ISMAIL J. RAMSEY
United States Attorney

s/ Elizabeth Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendant

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¹ In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.

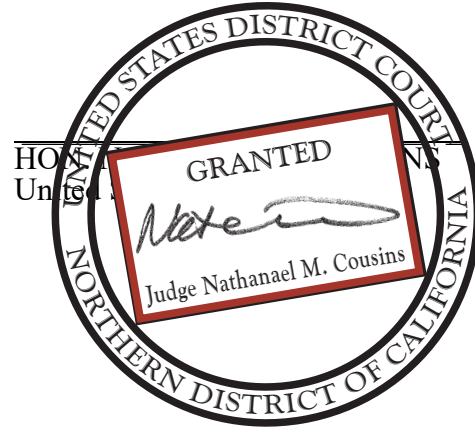
1 Dated: November 12, 2024

2 s/ Minzhi Xie
3 MINZHI XIE
4 Plaintiff (Pro Se)

5 **ORDER**

6 Pursuant to stipulation, IT IS SO ORDERED.

7
8 Date: November 12, 2024



CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that on this day she caused a copy of the following document(s):

STIPULATION TO STAY PROCEEDINGS; [PROPOSED] ORDER

to be served by FIRST CLASS MAIL and email upon the party at the address stated below, which is the last known address:

MINZHI XIE
546 Doyle Road, Apt. 2,
San Jose, CA, 95129
Ping.liu246@gmail.com

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date: November 12, 2024


LILLIAN DO
Paralegal Specialist